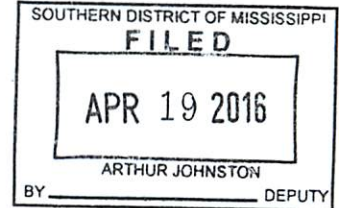


# UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi



United States of America

v.

Alfredo Ayala

Case No. 1:16mj25-JCG

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 18, 2016 in the county of Harrison in the Southern District of MS, Southern Division, the defendant(s) violated:

*Code Section*

21 U.S.C. 841(a)(1)

*Offense Description*

Possession with Intent to Distribute a Controlled Substance, to wit, more than 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a schedule II narcotic drug controlled substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

*Complainant's signature*

Jason Gazzo, Task Force Agent DEA

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 04/19/2016

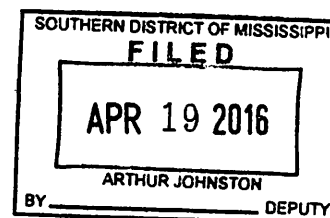
City and state: Gulfport, MS

*Judge's signature*

John C. Gargiulo U.S. Magistrate Judge

*Printed name and title*

AFFIDAVIT



I, Jason Gazzo, being first duly sworn, state as follows:

Introduction

Your Affiant, Jason Gazzo, is a Task Force Agent (TFA) with the United States Drug Enforcement Administration (DEA), United States Department of Justice (DOJ). TFA Gazzo has been a sworn law enforcement officer with the Mississippi Highway Safety Patrol since December 04, 2003. TFA Gazzo was deputized as a Task Force Agent in October of 2010. TFA Gazzo is authorized to perform duties as provided by law and department regulations and as such participates in investigations enforcing Title 21, United States Code, Section 878, to enforce Title 21 and other criminal laws of the United States. He has received special training in the enforcement of laws concerning controlled substances as found in Title 21 of the United States Code. He has participated in and has conducted investigations which have resulted in the arrest and conviction of individuals who have smuggled, received, and distributed controlled substances, as well as the seizure of illegal drugs and proceeds derived from the sale of those illegal drugs. In addition, he has conducted, in connection with these and other cases, follow-up investigations concerning the concealment of narcotics-produced assets, money, bank records, etc., and the identification of co-conspirators through the use of ledgers, telephone bills and records, and photographs, as related to drug trafficking. He has been involved in various types of electronic surveillance, in the execution of search and arrest warrants, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from controlled substance trafficking.

Probable Cause Factual Basis

On April 18, 2016, Task Force Agent (TFA) Jason Gazzo was contacted by Mississippi Highway Safety Patrol Trooper Demetrius

Hawthorne. Trooper Hawthorne stated that he had conducted a traffic stop on Interstate 10, which yielded the discovery of approximately thirteen (13) kilograms of cocaine. Trooper Hawthorne explained that while operating rear stationary radar on Interstate 10 near the thirty-four (34) mile marker, he noticed a 2015 Chevrolet 1500 traveling over the posted speed limit. Trooper Hawthorne activated his lights and conducted a traffic stop. Trooper Hawthorne approached the vehicle and identified the driver as Anna Lee Gonzalez and passenger as Alfredo AYALA. During general questioning, Trooper Hawthorne realized that he had stopped the couple on April 8, 2016 while returning from "vacation" in Greenville, South Carolina in route to Alice, Texas. Trooper Hawthorne advised TFA Gazzo that his suspicion grew when Gonzalez and AYALA stated they were returning to Greenville, South Carolina for "another vacation". After giving several more suspicious/inconsistent statements, Trooper Hawthorne requested consent to search the vehicle, to which Gonzalez denied. While conducting vehicle and license checks, Trooper Hawthorne contacted the Harrison County Sheriff's Department and requested a canine. A short time later, Deputy Russell Holliman and canine Espo with the Harrison County Sheriff's Department arrived on scene. Canine Espo gave a positive alert for the presence of narcotics within the vehicle. Trooper Hawthorne began to search the vehicle and discovered thirteen (13) individually wrapped bundles containing cocaine HCL located behind the rear passenger seat. The cocaine was field tested and was presumptively positive for cocaine. Trooper Hawthorne placed Gonzalez and AYALA in custody and contacted TFA Gazzo.

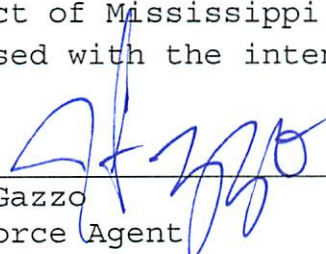
TFA Gazzo and TFA Michael Westbrook responded to the scene and determined that it would be best to relocate to the Mississippi Bureau of Investigation (MBI) Troop K Sub Station. Once at MBI, TFA Gazzo and Westbrook along with United States Immigration and Customs Enforcement (ICE) Special Agent (SA) Holley Krantz conducted a post Miranda interview with AYALA. AYALA advised agents that he had been couriering narcotics and narcotic proceeds for approximately ten (10) years. AYALA stated that this particular load of narcotics originated in The Rio Grande Valley. AYALA further stated that he personally loaded twenty (20) kilograms of cocaine into his vehicle and traveled to Alice, Texas. Once in Alice, Texas, AYALA offloaded seven (7) kilograms to a known distributor. According to AYALA, he then

retrieved Gonzalez and began to travel to Greenville, South Carolina where he was to deliver the remaining thirteen (13) kilograms. AYALA advised that Gonzalez was unaware of his criminal activity.

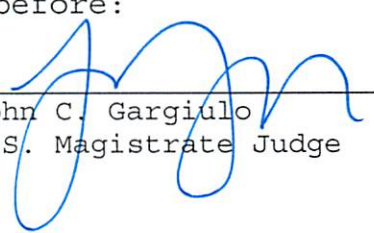
TFA Gazzo and SA Krantz conducted a post Miranda interview with Gonzalez and determined Gonzalez truly had no idea of AYALA's criminal activity. Gonzalez was released without incident and AYALA was transported to the DEA Gulfport Resident Office (GRO) for processing. After processing, AYALA was transported to Stone County Regional Correctional Facility while he awaits an initial appearance.

#### CONCLUSION

Based upon my experience as a DEA Task Force Agent and the facts listed above involving, it is my opinion that there is probable cause to believe that a violation of Title 21, United States Code, Section 841(a)(1), has been committed in the Southern District of Mississippi by Alfredo AYALA and others who possessed with the intent to distribute cocaine HCL.

  
\_\_\_\_\_  
Jason Gazzo  
Task Force Agent  
Drug Enforcement Administration

Sworn to this 19<sup>th</sup> day of April 2016 before:

  
\_\_\_\_\_  
John C. Gargiulo  
U.S. Magistrate Judge